

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**BHAVNA KUMAR**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:07CV263-DAS**

**ARVIND KUMAR, INDIVIDUALLY  
AND AS MANAGER OF MIT-SAR  
L.L.C.; MIT-SAR L.L.C., A MISSISSIPPI  
LLC**

**DEFENDANTS**

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**FINAL JUDGMENT**

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A bench trial in this civil action was held on December 9, 10, and 11, 2008, to resolve the claims set forth in the Second Amended Complaint filed by Bhavna Kumar on March 7, 2008, and the Counterclaim filed by Arvind Kumar and Mit-Sar, LLC, on March 14, 2008. Following the bench trial, the parties submitted proposed Findings of Fact and Conclusions of Law. On March 31, 2009, the court issued its Findings of Fact and Conclusions of Law [Doc. 96].

Based on the court's Findings of Fact and Conclusions of Law and the Affidavit of Robert Alexander dated April 13, 2009, judgment is entered as follows:

1. The Court has jurisdiction of the parties and the subject matter of this litigation.
2. Absent further order of this court, or agreement of both Arvind Kumar and Bhavna Kumar, or until such time as Mit-Sar is dissolved or the Holiday Inn Property is sold or its ownership is vested solely in Arvind Kumar or Bhavna Kumar, Arvind Kumar and Mit-Sar's Manager and/or any future Manager, as well as any agents, servants,

employees, attorneys, or other persons who are in active concert or participate with any of the described individuals are enjoined as follows:

- a. from making any loans of Mit-Sar funds to third parties of the members;
  - b. from using Mit-Sar funds to pay any personal expenses of the members;
  - c. from expending funds for purposes not directly related to the operation of the Holiday Inn Property; and
  - d. from using Mit-Sar funds for the payment of a salary, distribution or return of capital to the members in violation of the terms of the Mit-Sar Agreement.
3. Based on the Court's Findings of Fact and Conclusions of Law, judgment is entered in favor of Bhavna Kumar and against Arvind Kumar in the principal amount of \$70,000. The amount of this damage award has been agreed to by the parties. Interest shall accrue on this monetary award from and after entry of this judgment pursuant to 28 U.S.C. § 1961.

ORDERED, this the 30<sup>th</sup> day of April, 2009.

/s/ David A. Sanders  
United States Magistrate Judge

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